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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
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11 NANCY MONTOYA,) NO. ED CV 08-1225 RSWL (FMO)
12 Plaintiff,)
13 v.) ORDER TO SHOW CAUSE
14 MICHAEL J. ASTRUE,)
15 COMMISSIONER OF SOCIAL)
16 SECURITY ADMINISTRATION,)
17 Defendant.)
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19 By order dated September 12, 2008, plaintiff was directed to serve promptly the summons
20 and complaint on defendant and file two copies of the proof of service with the court within thirty
21 (30) days of the filing of the court's Order. It appears from the record that plaintiff has failed to
22 complete service as ordered or file the proof of service.

23 Accordingly, IT IS HEREBY ORDERED THAT, on or before **January 8, 2009**, plaintiff shall
24 show cause why this action should not be dismissed for plaintiff's failure to complete service of the
25 summons and complaint as required by Rule 4(m), Federal Rules of Civil Procedure. **Plaintiff**
26 **shall attempt to show such cause in writing by filing a declaration signed under penalty of**
27 **perjury. Failure to file the declaration by the deadline set forth above or to show cause as**
28 **ordered may result in dismissal of this action for failure to prosecute. Filing of the proof**

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1 of service shall be a satisfactory response to the Order to Show Cause.

2 IT IS SO ORDERED.

3 Dated this 4th day of December, 2008.

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5 /s/

6 Fernando M. Olguin
7 United States Magistrate Judge
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